

**MISSISSIPPI WIRELESS COMMUNICATION COMMISSION**

**March 4, 2010 Meeting Minutes**

Place: MDOT Conference Room 6<sup>th</sup> Floor

**Commission Members Present:**

**MS Department of Corrections  
MS Emergency Management Agency  
MS National Guard  
MS Association of Supervisors  
MS Department of Environmental Quality  
MS Department of Transportation  
MS Association of Fire Chiefs  
MS Office of Homeland Security  
MS Department of Information Technology Services  
MS Municipal League  
MS Department of Public Safety  
SafeCity Initiative**

**Chris Epps  
Mike Womack  
Gary Ladd  
Steve Gray  
Keith Harkins  
Willie Huff  
Tom Lariviere  
Jay Ledbetter  
David Litchliter  
Quincy Mukoro  
Stephen Simpson  
Joseph McArthur**

**Advisory Members Present:**

Chairman Epps called the meeting to order at approximately 1:30 PM and welcomed everyone.

The Chairman then asked if there were any changes to the minutes which had been emailed to Commission members. There were no changes and the Chairman called for a motion to approve the minutes of the February 4, 2010, meeting. Tom Lariviere made the motion with a second by Quincy Mukoro. The motion passed with none opposed.

Chairman Epps recognized Mike Murphy of the Gulf Coast Interoperable Communications Cooperative to discuss an interoperability solution between the states of Alabama and Mississippi. Mr. Murphy noted that a MOU has been signed between the states of Mississippi, Alabama, and Louisiana. It is the first multi-state regional MOU signed in the United States for interoperable communications with agreement to share resources across state lines. Alabama would like to add some portable radios programmed with selected interoperable talk groups on MSWIN that will be compatible with LWIN and put them on an ACU1000 in Mobile County. This will allow interoperability across the Gulf Coast when it becomes necessary. This will have very little impact on MSWIN as they will be using talk groups already in place. Chairman Epps noted that he has received a letter, which he will share with the Commission members, from Charles Murph, Alabama SWIC requesting permission to put this into place.

Bill Roach noted that the FCC has given approval for this process. It was discussed during the Technical Summit in Mobile, AL last year. Commissioner Simpson asked if there are any licensing fees or issues for concern. Mike Murphy indicated that there were none and that approval has been received from the FCC attorney. The Chairman asked if there were any dissensions and there were none. Mike Murphy thanked the Commission and requested that Commission approval be sent to him in writing.

The Chairman then recognized Nicole Stofer of the Governor's Office and Craig Orgeron of ITS to discuss the ARRA Round 2 Application for Broadband Data using MSWIN Infrastructure. Ms. Stofer shared that this is the second round of funding coming down from the Federal Government. The Governor's Office is taking a lead role in putting an application together. ITS and the Wireless Commission are working in partnership with the Governor's Office. Mark Garriga of Butler|Snow is working on a waiver to be filed with the FCC; UMC-Med-Com is included as a last mile component and expansion of the MSWIN towers is included as a middle mile component. Chairman Epps as chairman of the Commission was asked to sign a letter indicating the Commission's support of this Broadband application. In addition, a draft letter was made available to Commission members who are asked to review the letter and if willing, put on their letterhead, and send to Ms. Stofer. Ms. Stofer asked the Commission members, as heads of their organizations, to enlist the support of constituencies in the Public Safety arena, first responders, and law enforcement sectors. Letters of support will produce a positive showing in the application process. Tom Lariviere requested that the Ms. Stofer put together a brief talking points letter for Commission members to

use when asking their agencies to write letters of support. Ms. Stofer agreed to do that. Mr. Huff made a motion to authorize the Chairman to sign the letter of support for the Broadband application. David Litchliter asked to amend the motion to include the support of the filing of the waiver for 700 MHz Frequency use as outlined in the handout which was passed out to all Commission members. Mr. Huff accepted that amendment to the motion. The motion was seconded by Mike Womack and the motion passed with none opposed.

Keith Harkins was then recognized by the Chairman to report for the Procurement Review committee. Mr. Harkins noted that no requests had come before the Committee this month.

Willie Huff was recognized to report for the Governance/Interoperability Committee. Mr. Huff reported that \$5,285,942.46 dollars in PSIC funds have been awarded to date and that currently ten (10) to twelve (12) applications are being worked through. There is a May 1, 2010, deadline for completed applications for this grant.

Mr. Huff provided a copy of the Commission Bylaws to the Commission for their review. The Bylaws will be discussed at the next Commission meeting. Members were encouraged to contact any of the Bylaw Committee members with questions or suggestions. Any suggested amendments can be brought forth at the next meeting also.

Chairman Epps called for a report from the Revenue Committee. Steve Gray provided comment in Mike Lucius' absence. Mr. Gray said that Senate Bill 2938 is legislation currently moving through the House that may provide local funding for agencies that come onto MSWIN, offsetting the \$200.00 fee currently set by the Commission. Mr. Huff noted that if that is indeed what this bill will do, the Commission needs to be aware of anything that will allow Locals access to MSWIN without fees. If the bill does not provide this, the Commission needs to be aware so that it can still be looking for revenue. Mr. Litchliter noted that it is possible that what the bill will do is offset operational fees, which is also a positive for MSWIN. No Commission member was aware of any other pending legislation which could impact the WCC.

Chairman Epps asked Bill Roach to discuss Change Order Requests. Mr. Roach explained the Change Orders to the RFP 3429 Contract with Motorola and the RFP 3603 Contract with Tower of MS II. There was no discussion. Mr. Huff made a motion to accept the Change order Request with a second by Gary Ladd. The motion passed with none opposed.

Mr. Roach then provided the MSWIN Project Update. To date, sixty-one (61) EHP Packets have been submitted to FEMA for review, Forty-two (42) sites have been approved (eighteen (18) of which had no ground disturbance), and nineteen (19) are currently under review. FEMA and Region 4 have hired a contractor to review MSWIN packets. The necessity of getting the packets done and submitted has been emphasized to the MSWIN provider in order to keep the process going.

Mike Womack noted that in his discussion with FEMA on Wednesday, they felt that the review process is now going smoothly and that all issues are largely solved. He asked Mr. Roach if he agrees with that assessment.

Mr. Roach stated that representatives from FEMA came to Jackson a few weeks ago for a meeting and during that meeting, they found that in Missouri (Region 6), an approved tower site submission was only a thirty-five (35) page document. This is significant because the packets that we are submitting to Region 4 are approximately three to four hundred pages. Producing an acceptable shorter, more concise document will save time and money. The last three (3) packets that we submitted have been in the Missouri format and if they are accepted, that is the route we will take. The process has been going smoother and they are turning around eight (8) or nine (9) packets per week.

Mr. Litchliter asked how this equates to money and if all approvals must be received before money is released. Mr. Roach explained that we have gotten approval letters by site. The grant money came in three (3) parts, \$20M, \$20M, and \$100M dollars. Budget justifications had to be done for each of those with eight (8) deliverables for a particular site. It is hard to determine use of the money because some of payment deliverables to Motorola are not site based and that will have to be looked at closely.

Mr. Roach noted that Cedric Cherry, our Grant Manager, has asked if we want to have a consultation with FEMA General Counsel. The biggest issue that we have is that we received information that once EHP

approvals were done, we could reimburse state bond money with MICG funds. This would mean that we could go ahead and build and then reimburse when sites are approved. Our position is that we will not do ground disturbance until we have FAA and FCC approval and are NEPA clear on a site so we think the risk is very small. If we get those approvals and start construction using State money, we hope then to get reimbursed by FEMA once the sites are approved through the EHP process. We want something from FEMA's Counsel saying that we can do that.

After more discussion, Mr. Ledbetter, the Mississippi Communications Interoperability Grant Grantee, indicated that he feels everything is progressing. Mr. Womack said that he will then back away for now and can be called if his assistance is needed.

Mr. Roach continued with the project update, noting that some testing has been completed in Phase 2A around the metro Jackson area. Acceptance testing has been done on some of the sites. Coverage testing on 707 grids has been done in the Phase 2A area with three grids being inaccessible. Two of those were in the Reservoir and one in the Pearl River Swamp so the testing was successful overall. We are currently looking at Phase 1 acceptance in late March or early April and Phase 2A acceptance in the May time frame.

Mr. Litchliter provided a report on the monthly expenditures. Mr. Litchliter referred Commission members to the WCC activity and monthly expenses handouts noting that there was nothing unique about the monthly expenditures. Approximately \$258,000 was paid on PSIC reimbursements which is a part of the \$696,292.98 expenditure for the month. He also noted that a vast majority of funds expended were for the contractual expenses. Mr. Womack made a motion to accept the report on monthly expenditures with a second by Gary Ladd. The motion passed with none opposed.

There was no further Commission business for discussion.

The next meeting will be held on April 1, 2010, in the MDOT Conference Room on the 6<sup>th</sup> Floor.

Tom Lariviere made a motion to adjourn and David Litchliter seconded the motion. The motion passed with none opposed. Meeting adjourned at approximately 2:35 PM.